

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13068 of the Grace Episcopal Church, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4402.37 to use the second floor of the subject premises as a proprietary school, dance classes and small theater, consisting of twenty-five students and one teacher maximum at any one time and theater maximum to seat eighty persons in a W-1 District at the premises 1041 Wisconsin Avenue, N.W., (Square 1189, Lot 835).

HEARING DATE: October 17, 1979
DECISIONS DATE: November 7, 1979

FINDINGS OF FACT:

1. The subject property is located on the northeast corner of Wisconsin Avenue and South Street in the Georgetown Waterfront area and is known as 1041 Wisconsin Avenue, N.W. It is in a W-1 District.
2. The subject lot is approximately 24,884 square feet in area and is improved with the applicant church, parish hall and rectory. More than half of the subject site is open space.
3. A public alley adjoins the church property on the north beyond which is a C & P Telephone Company Operations Center. To the east of the church is a small parking lot and a group of row dwellings. To the south of this site is the former D.C. Incinerator, a food store and restaurant, a printing company, welding company and a warehouse. Across Wisconsin Avenue to the west is a group of row dwellings and an apartment building.
4. In BZA Order No. 12519, dated January 25, 1978, the Board granted to the applicant the use of the first floor of the subject premises as a pre-primary school for forty students and four staff.
5. The applicant proposes to permit the Murray Spalding Movement Arts, Inc. to establish a proprietary school for dance on the premises with a maximum of twenty-five students and one teacher, and a theater seating a maximum of eighty. The school and theater will be located on the second floor of the church. The existing school occupies the first floor.

6. The students will be primarily adults, between the ages of eighteen and thirty years. It is anticipated that there will be a maximum of twenty-five students on the premises at any one time.

7. The average class will have ten students and the number of classes per day will range from one to a maximum of five.

8. The earliest class will begin at 10:00 a.m. but the majority of classes will be held in the evenings between 6:30 p.m. and 8:00 p.m.

9. It is proposed that classes be held on Mondays through Saturdays.

10. Two or three dance concerts per year by the students will be held and a maximum of five dance concerts will be performed by others. The school proposes to use the church sanctuary to stage the concerts.

11. Based upon Section 4405 of the Zoning Regulations for theaters and places of public assemblage no parking spaces would be required. There are several parking lots in the immediate neighborhood.

12. The Office of Planning and Development, by report dated October 11, 1979, recommended that the application be approved. The OPD reported as follows:

"The Office of Planning and Development notes that Sub-section 4402.37 of the Zoning Regulations requires that a private school, trade school, college or university may be established provided that the facility enhances the visual and recreational opportunities offered by the waterfront and such is so designed and located that it is not likely to become objectionable because of noise, traffic, number of students or other conditions.

The OPD notes that this school has been in operation for approximately one year. It is our opinion that such a use is an appropriate one for the Waterfront District and enhances the cultural opportunities available to the neighborhood. The bulk of classes will be held after the morning and evening rush hours which we believe will mitigate traffic impacts. The church itself does not provide on-site parking but commercial parking is available within walking distance of the site. The applicant has also indicated

that approximately one-half of the students either walk or use public transportation to and from the school. The OPD does not believe that the seven or eight dance concerts proposed per year will unduly impact parking or traffic conditions in the immediate vicinity.

It is OPD's opinion that the school is an asset to the neighborhood and will not be objectionable due to number or students, noise or traffic impacts." The Board so finds.

13. Advisory Neighborhood Commission 3A made no recommendation on the application.

14. The Citizens Association of Georgetown testified at the public hearing that it had no objection to the application since it understood that none of the open space of the subject property would be modified in any way for parking purposes.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the applicant has substantially complied with Paragraph 4402.37 of the Zoning Regulations. The proposed school will enhance the visual and recreational opportunities offered by the Georgetown Waterfront and the use is so designed and located that it is not likely to become objectionable because of noise, traffic, number of students or other conditions. The Board further concludes that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. Accordingly, it is ORDERED that the opposition is GRANTED SUBJECT to the following CONDITIONS:

1. The maximum enrollment at one time shall be twenty-five students and one teacher.
2. The theater shall be limited to a maximum of eighty seats.
3. The school may operate seven days a week but not beyond 10:00 p.m. any day.

VOTE: 3-0 (Charles R. Norris, Walter B. Lewis and William F. McIntosh to grant, Leonard L. McCants not present, not voting, Chloethiel Woodard Smith not voting not having heard the case.

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 4 FEB 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.